

### REMARKS

Claims 6-9 and 13-17 are being cancelled without prejudice to filing in a later application. No claims are being added. Claims 1, 5 and 19 are being amended. Upon entry of this amendment claims 1-5, 10-12 and 18-19 will be pending in the application.

The amendment to claim 1 is supported by the specification at, for example, page 5, lines 19-24.

The amendment to claim 5 is supported by the specification and claim 1 as filed.

The amendment to claim 19 is supported by the specification at, for example, page 5, lines 19-24.

This amendment is being filed under 37 C.F.R. 1.116 governing amendment after final rejection. This amendment is appropriate for entry under Rule 1.116 since it does not raise new issues and places the application in allowable condition and/or places the application in better form for consideration of appeal.

Applicant thanks the Examiner for indicating that claims 10-12 and 18 are allowed and claims 5, 17 and 19 contain allowable subject matter.

#### **The rejection of claims 17 and 19 under 35 U.S.C. §112, second paragraph.**

Claims 17 and 19 were rejected as allegedly being indefinite. More particularly, the Office communication asserts that the word "substantially" makes the phrase "substantially homogeneously" or "substantially homogeneous" is unclear.

Claim 17 recites: "The artificial stone product of claim 1 wherein the microspheres are substantially homogeneously distributed within the thermoset resin." Claim 19 recites: "The artificial stone material of claim 10 wherein the catalyzed base material is a substantially homogeneous mixture of microspheres and catalyzed resin." Thus, the term substantially modifies the mixture of microspheres and catalyzed resin.

Applicant's specification at, for example, page 5 and page 8 explicitly teaches how the microspheres are mixed with and distributed in the resin. Since Applicant's specification discloses what is meant by the term homogeneous the word "substantially"

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is being cancelled from claim 19. Claim 17 is being cancelled without prejudice to filing in a later application. This rejection is obviated by the amended claims.

**The rejection of claims 1-4 under 35 U.S.C. §103(a).**

Claims 1-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,306,321 to Mukai et al in view of U.S. Patent No. 4,446,177 to Munoz et al and U.S. Patent No. 3,230,184 to Alford et al.

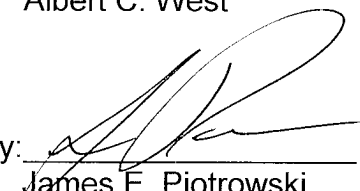
Claim 1 is being amended to recite that the microspheres are homogeneously distributed within the thermoset resin. Amended claim 1, and claims 2-4 directly depending therefrom, are patentable for at least this reason.

The Examiner is invited to telephone Applicant's attorney if it is deemed that a telephone conversation will hasten prosecution of this application.

Respectfully submitted,

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